

**FILED
UNDER
SEAL**

United States District Court
for
the District of Nevada

**PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION**

Name of Offender: **Harrison Johnson**

Case Number: **2:12CR00336**

Name of Sentencing Judicial Officer: **Honorable Jennifer A. Dorsey**

Date of Original Sentence: **January 21, 2014**

Original Offense: **Attempted Interference with Commerce by Robbery, Brandishing a
Firearm During a Crime of Violence**

Original Sentence: **113 months imprisonment, followed by 60 months supervised release**

Date Supervision Commenced: **June 10, 2022**

Name of Assigned Judicial Officer: **Honorable Jennifer A. Dorsey**

PETITIONING THE COURT

To issue a warrant.

To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Refrain From Unlawful Use of Controlled Substance** - The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually. Revocation is mandatory for refusal to comply.

1. **Refrain From Unlawful Use of Controlled Substance** - The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually. Revocation is mandatory for refusal to comply.
 - A. Johnson tested positive for marijuana on the following dates:

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September 1, 2022,
October 12, 2022,
October 19, 2022,
November 2, 2022,
December 13, 2022,
December 19, 2022,
December 23, 2022,
December 31, 2022, and
January 2, 2022.

B. Johnson failed to report for drug testing on August 8, 2022, and November 26, 2022.

2. **Report Change of Residence or Employment** - The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

On October 20, 2022, the undersigned officer attempted a home contact with Johnson at his approved residence. Contact was made with an unknown male who advised he had lived in the unit for three weeks and did not know Johnson. Johnson admitted to the probation officer that he had moved without the knowledge or permission of the probation officer. When questioned where he had been residing for three weeks, Johnson was evasive with his whereabouts then claimed he was living in various motels.

3. **Substance Abuse Treatment** - You shall participate in and successfully complete a substance abuse treatment and/or cognitive based life skills program, which will include drug/alcohol testing and/or outpatient counseling, as approved and directed by the probation office. You shall refrain from the use and possession of beer, wine, liquor, and other forms of intoxicants while participating in substance abuse treatment. Further, you shall be required to contribute to the costs of services for such treatment, as approved and directed by the probation office based upon your ability to pay.

A. On November 1, 2022, and November 15, 2022, Johnsons failed to attend his substance abuse group sessions.

B. On November 15, 2022, and November 23, 2022, Johnson failed to attend his individual sessions.

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4. **Mental Health Treatment** - You shall participate in and successfully complete a mental health treatment program, which may include testing, evaluation, and/or outpatient counseling, as approved and directed by the probation office. You shall refrain from the use and possession of beer, wine, liquor, and other forms of intoxicants while participating in mental health treatment. Further, you shall be required to contribute to the costs of services for such treatment, as approved and directed by the probation office based upon your ability to pay.

Johnson failed to attend his treatment sessions on November 15, 2022, and November 23, 2022.

5. **Medication Management** – You shall participate in and successfully complete medication management. You shall be required to take all prescribed psychotropic/mental health medication as approved and directed by any mental health treatment provider. Any deviation from the prescription medication must be approved and directed by the mental health treatment provider.

At the onset of supervision, Johnson refused to take any psychotropic medication. Due to Johnson not using his psychotropic medication the voices returned and he began to self-medicate.

In November of 2022, Johnson again began taking his psychotropic medications. In review of Johnson's medication logs from the residential re-entry center (RRC) Johnson has not taken his prescribed psychotropic medication since December 13, 2022.

6. **Residential Reentry Center** – You must reside in a residential reentry center for a term of up to 90 days. You must follow the rules and regulations of the center.

As detailed below, Johnson has failed to follow the rules and regulations of the residential reentry center (RRC). As such, Johnson has been removed from the RRC as a program failure.

A. On November 29, 2022, Johnson received an incident report from the RRC for failure to return assigned bus pass, a violation of code 309. Johnson was given a bus pass on November 27, 2022, with the instructions to return the pass in two days. The pass was not returned as required and was considered a lost pass after the third day it was missing. Johnson is required to pay for the cost of the missing pass.

B. On November 29, 2022, Johnson received an incident report from the RRC due to unaccountability, violation of code 309. Johnson had signed out on a work pass and was scheduled to return at 2:00 a.m. but did not return until 2:44 a.m. Johnson was unaccountable in the community for 44 minutes.

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- C. On November 30, 2022, Johnson received an incident report for unaccountability, a violation of code 309. Review of Johnson's check stubs by the facility job developer revealed Johnson was working 19.75 hours for the pay period of November 14, 2022, through November 20, 2022. Johnson had signed out of the facility that week for a total of 67.5 hours claiming he was working. Johnson was unaccountable for 47.75 hours that week.
- D. On December 20, 2022, Johnson received an incident report for smoking in the men's restroom, a violation of 332. At approximately 6:15 a.m., RRC staff observed Johnson with a lit cigarette inside the men's restroom. Smoking in the restroom is strictly prohibited.
- E. On December 27, 2022, Johnson received an incident report for smoking in the men's restroom, a violation of code 332. At approximately 8:00 p.m., Johnson was observed by RRC staff smoking a lit cigarette in the men's restroom. Smoking in the restroom is strictly prohibited.
- F. On January 3, 2023, Johnson received an incident report for gambling in the men's restroom, a violation of code 324. At 12:55 a.m., RRC staff observed Johnson shooting craps with several other residents. Staff observed money on the floor in front of each participant. Gambling is strictly prohibited per the resident handbook.

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U.S. Probation Officer Recommendation:

The term of supervision should be:

Revoked

I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **January 10, 2023**

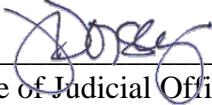
Amberleigh Barajas
Senior United States Probation Officer

Approved:

Todd J. Fredlund
Supervisory United States Probation Officer

THE COURT ORDERS

- No Action.
- The issuance of a warrant.
- The issuance of a summons.
- Other:


Signature of Judicial Officer

1/11/2023

Date

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. HARRISON JOHNSON, 2:12CR00336

SUMMARY IN SUPPORT OF PETITION FOR WARRANT
January 10, 2023

On June 10, 2022, Johnson commenced his term of supervision. At the onset of supervision, Johnson advised he was not taking any psychotropic medication and did not intend to take any psychotropic medications. Johnson a diagnosis of paranoid schizophrenia, as well as a history of auditory hallucinations. The undersigned officer expressed serious concerns with Johnson's refusal to take any psychotropic medications. Johnson assured the probation officer he was managing his mental health on his own and was no longer hearing voices.

On July 14, 2022, Johnson completed his mental health and substance abuse assessment at a contracted vendor. Johnson was not recommended for treatment at the time of the assessment.

Johnson fared well initially but began to rapidly decline. On September 1, 2022, Johnson tested positive for marijuana. Johnson explained his use of marijuana as an attempt to quiet the voices that had resumed. Johnson is aware that use of marijuana while on federal supervision is a violation.

Since Johnson's initial positive test, he has tested positive for marijuana eight (8) additional times. All tests were confirmed by the National Laboratory.

On October 20, 2022, the undersigned officer attempted a home contact with Johnson at his residence. Contact was made with an unknown male who advised he had lived in the unit for three weeks and did not know Johnson. Johnson admitted to the probation officer that he had moved without the knowledge or permission of the probation officer. When questioned where he had been residing for three weeks, Johnson was evasive with his whereabouts then claimed he was living in various motels. When asked for the address of the motels he had been staying at Johnson could not provide the address. The probation officer suspected that Johnson had been residing with his girlfriend. Johnson had previously requested to reside with his girlfriend, but the undersigned officer denied the request as she was on state supervision at the time and had an extensive criminal history to include numerous drug related arrests, three trespass charges, burglary, petty theft, prostitution charges, and fugitive charges.

Due to Johnson's noncompliance, a modification was requested to place him in the RRC. The modifications served as a sanction as well as to assist him with housing since he had no viable residence. In addition to placement in the RRC Johnson was enrolled into individual and group treatment services.

Johnson has struggled in the RRC. He has received numerous incident reports throughout his stay. RRC staff was trying to work with Johnson despite the numerous program violations

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however, when Johnson received his sixth incident report, he was program failed from the facility. Johnson is not welcome to return to the RRC.

Johnson has also struggled with treatment. On November 1, 2022, Johnson was fifteen minutes late to his group and was denied entry as his late arrival would disrupt the group. On November 15, 2022, Johnson was late to his individual session stating he was late due to a car accident he had been in the day prior. Johnson also failed to attend his group session on that same date. Johnson missed his individual session on November 23, 2022.

The probation office has tried to assist Johnson in gaining compliance as well as addressing his mental health and substance abuse struggles. Despite the assistance provided, Johnson continues to display a total disregard for his conditions of supervision. Johnson explains away his initial marijuana use and recurrent use to address the voices he is hearing. Johnson claims the marijuana is more effective than prescribed medication. Johnson does not take accountability for the gambling incident in the RRC but instead claims he was only in the restroom to use the facilities and not engage in the gambling activity. Johnson has displayed a total lack of respect for the conditions imposed by Your Honor. Johnson continues to test positive for marijuana and was recently program failed from the RRC leaving him with no viable residence. Johnson has submitted numerous positive drug tests in a year's time frame. Pursuant to 18 U.S.C. section 3583 (g)(4), revocation is mandatory if one tests positive more than three times for illegal controlled substances over the course of one year. For these reasons, a warrant is respectfully requested. It is further requested that Johnson be detained pending his final revocation hearing as he has no viable residence. Moreover, Johnson is considered a danger to the community based on his extensive criminal history with acts of violence and the fact he is not taking his psychotropic medication as prescribed.

Respectfully submitted,

Amberleigh Barajas
Senior United States Probation Officer

Approved:

Todd J. Fredlund
Supervisory United States Probation Officer